

REMARKS

Claims 1-18 are pending in this application. By this Amendment, claims 3 and 11 and the specification are amended. No new matter is added.

The courtesies extended to Applicant's representative by Examiner Lavarias at the interview held January 25, 2005, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicant's record of the interview.

The Office Action objects to the disclosure for informalities. The objection is obviated by the amendments to the specification. Accordingly, withdrawal of the objection to the disclosure is respectfully requested.

The Office Action objects to the claim 3 for informalities. The objection is obviated by the amendment to claim 3. Accordingly, withdrawal of the objection to claim 3 is respectfully requested. Claims 5 and 9 have been amended to correct informalities discovered at the time of the interview.

The Office Action rejects claims 1-3, 5-12 and 14-18 under 35 U.S.C. §103(a) over U.S. Patent No. 6,317,404 to Kawano et al. (hereafter "Kawano") in view of U.S. Patent No. 5,987,112 to Psaltis et al. (hereafter "Psaltis"). This rejection is respectfully traversed.

The Office Action asserts that Kawano discloses every feature recited in independent claims 1, 5 and 9, except for setting a width of a plurality of tracks according to the order of the diffracted light component so as to be "at least larger than a spread of the Fourier transform image corresponding to a maximum spatial frequency of the signal light." Although the Office Action asserts that Psaltis remedies this deficiency, Applicants disagree. As discussed at the interview, that the combined teachings of Kawano and Psaltis do not specifically disclose or reasonably suggest the method step of setting a width of a plurality of

recording tracks to be at least larger than a spread of the Fourier transform image as recited by the Applicants in claims 1, 5 and 9.

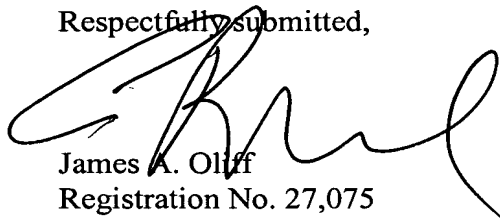
What Psaltis does disclose at col. 7, lines 14-16, is radially moving the beam spot at which the signal and reference beams intersect inside the disk by "the width of one track (i.e., by the width of one beam spot." Nowhere does Psaltis evidence disclosure or motivation, implicit or explicit, to suggest a setting a width of a plurality of recording tracks "to be at least larger than a spread of the Fourier transform image corresponding to a maximum spatial frequency of the signal light" as recited in claims 1, 5 and 9. Accordingly, Applicants respectfully submit that independent claims 1, 5 and 9 are patentable due to the failure of Kawano and Psaltis to disclose, teach or suggest all recited elements of the claims. Claims 2-3, 6-8 and 14-18 variously depend from independent claims and are likewise patentable over the applied art for at least their dependence on an allowable base claim, as well as for additional features they recite. Accordingly, withdrawal of this rejection is respectfully requested.

The Office Action rejects claims 4 and 13 under 35 U.S.C. § 103(a) over Kawano in view of Psaltis, and further in view of U.S. Patent No. 6,163,391 to Curtis et al. (hereafter "Curtis"). It is respectfully submitted that based, at least, upon the patentability of independent claims 1 and 9, from which claims 4 and 13 depend, claims 4 and 13 are patentable over the referenced art. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) over Kawano, Psaltis and Curtis is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-18 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:ERM/

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